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DIRECTORS PRESENT

STAFF PRESENT

PUBLIC PRESENT

CONSULTANTS PRESENT

PLEDGE OF ALLEGIANCE

- 1 -

1 **VISITOR COMMENTS**

2 There were no public comments.

3 **ORAL COMMUNICATION**

4 There were no oral or written comments.

5 **DIRECTOR'S COMMENTS**

6
7 Director Disston provided a recap from the recent SOCWA Executive Committee
8 meeting relating to personnel negotiations. Director Disston also provided a recap of SOCWA's
9 recent 2010 Biomass Workshop.

10 Director Acosta shared highlights from his recent trip to Washington D.C. and his
11 appreciation of those who have fought for this country.

12 President Safranski shared a letter he received from Janet Nguyen, Chair of the Orange
13 County Board of Supervisors relating to the 2011 Legislative Platform.

14 **REPORT FROM THE GENERAL MANAGER**

15 Mr. Don Chadd, General Manager, advised the Board the administration facility was
16 rented on September 11 for an auction.

17 Mr. Chadd advised he received the same letter from Janet Nguyen regarding the 2011
18 Legislative Platform and if any Director would like to comment, then please forward those
19 comments to TCWD's Secretary to the Board of Directors.

20 Mr. Chadd provided a status update on the landscape project at the entrance to TCWD.

21 Mr. Chadd advised the Board of the Candidates Forum being held on September 29, 2010
22 at the Bell Tower Foundation which will be televised by Cox Communications.

23 Mr. Chadd provided information relating to ISDOC's call for Candidates,
24 Directors Acosta and Haselton will be attending.

25 Mr. Chadd advised TCWD's 2010 Biennial review has been completed on-line and has
26 been approved by the Board of Orange County Supervisors.

1 Mr. Chadd provided a letter from SOCWA following up last month's discussion relating
2 to TCWD's share of litigation legal costs.

3 **CONSENT CALENDAR**

4 President Safranski announced that all matters under the Consent
5 Calendar would be approved by one motion unless a Board Member requests a
6 separate action on a specific item. Director Haselton asked to pull item 1D from the consent
7 calendar. Item 1D will be discussed after Item 1L.
8

9
10 MOTION: A motion was made by Director Disston and seconded by Vice President
11 Mandich to approve the Consent Calendar, Item Nos. 1A through 1C, as
12 presented and to pull item 1D from the consent calendar for correction.
The motion carried 5-0.

13 **ACTION CALENDAR**

14 President Safranski stated that the General Manager and staff had reviewed all matters
15 under the Action Calendar prior to the Board's consideration.
16

17 **ADMINISTRATIVE MATTERS**

18 **ITEM NO. 1E. STATUS UPDATE RELATING TO WATER MONITORING AND** 19 **WATER CONSERVATION EFFORTS**

20 Mr. Chadd presented this matter. Mr. Chadd reviewed MWDOC's graphs and charts
21 dated August 25, 2010.

22 Mr. Chadd reviewed each Director's consumption along with district customer
23 consumption data by meter size, consumption by gallon, and dollar amount per tier.

24 The Board received and filed the status update.

25 **ITEM NO. 1F. CONSIDERATION AND POSSIBLE ACTION REGARDING THE** 26 **COUNTY OF ORANGE ALERTOC**

1 Mr. Chadd provided an overview of AlertOC, stating that it is Orange County's regional
2 public mass notification system which the County of Orange is providing as a free service
3 through May, 2012.

4 Mr. Chadd advised until such time that there is a cost for this service; TCWD may want
5 to consider participation.

6
7 MOTION: A motion was made by Director Disston and seconded by Director Acosta
8 to approve as submitted. The motion carried 5-0.

9
ENGINEERING MATTERS

10 **ITEM NO. 1G. STAFF REPORT AND POSSIBLE ACTION RELATING TO**
11 **SOUTH ORANGE COUNTY INTEGRATED REGIONAL WATER**
12 **MANAGEMENT PLAN (IRWMP)**

13 Mr. Chadd stated the County of Orange is seeking to establish a group grant participation
14 for water management projects in the South Orange County Watershed Management Area
15 (WMA). Mr. Chadd discussed the qualifying projects that TCWD might submit. Discussion
16 occurred relating to the value of participation.

17 MOTION: A motion was made by Director Acosta and seconded by Director Disston
18 to approve staff recommendation. The motion carried 5-0.

19 **ITEM NO. 1H. STAFF REPORT AND POSSIBLE ACTION RELATING TO**
20 **COUNTY OF ORANGE PROPOSED IMPROVEMENTS TO**
21 **TRABUCO CREEK ROAD**

22 Mr. Chadd advised the Board he and staff met last month with staff from the County of
23 Orange (County), Real Estate Division, at their request, to consider their proposed improvements
24 to Trabuco Creek Road.

25 County staff advised they are seeking donated easements from both TCWD and the U.S.
26 Department of Forestry. County and TCWD agreed TCWD Legal Counsel would draft an
27 agreement, which has been forwarded to the County for their review.
28

1 President Safranski directed staff to bring this item back to the Board once the agreement
2 from the County has been received.

3
4 **ITEM NO. 1I. STATUS UPDATE RELATING TO BAKER WATER
TREATMENT FACILITIES**

5 Mr. Hector Ruiz, District Engineer, advised the Baker WTP Committee is scheduled to
6 meet on September 23, 2010. Topics to be discussed at the committee meeting include the water
7 supply to the plant along with the pump station design for supplying water to TCWD.

8 Mr. Chadd advised earlier in the month he met with IRWD to explore funding options for
9 the project, including loans from IRWD and/or iBank. Mr. Chadd advised that Mr. Michael
10 Perea, Special Projects Manager is currently reviewing iBank paperwork.

11
12 **ITEM NO. 1J. STATUS UPDATE AND POSSIBLE ACTION RELATING TO
13 ROSE CANYON AND LANG WELLS GROUNDWATER
TREATMENT FACILITIES**

14 Mr. Ruiz stated RC Foster submitted change order costs for the excavation and disposal
15 of excess asphalt debris, an unforeseen condition and for other requested items by TCWD. Mr.
16 Ruiz reviewed each of the proposed change orders with the Board.

17 Mr. Ruiz advised RC Foster has submitted a request for extension of their contract
18 through November 15, 2010 as Substantial Completion with the understanding that sufficient
19 groundwater will be available for startup and testing at a later date. Construction of the project
20 includes startup and testing of the facility which requires sufficient water in the wells.

21 Mr. Ruiz advised the State Department of Public Health has approved TCWD's request
22 for a Compliance Order extension from August 28, 2010 to February 28, 2011 based on the need
23 to have water in the wells for testing.

24 Mr. Ruiz advised the Board the construction is 70% complete and provided an update as
25 to the progress and the phases of construction at the site, both current and future.
26
27
28

1 Mr. Chadd discussed holding an Open House at the Wells Project Upgrade site on
2 December 4, 2010. The Director's agreed it would be of interest to the community and to
3 proceed with the planning of the event.

4
5 MOTION: A motion was made by Director Disston and seconded by Director Acosta
6 to :

- 7 1. Approve the extension of RC Fosters contract agreement to
8 November 15, 2010 and authorize staff to extend RC Fosters
9 contract agreement for substantial completion by November
10 15, 2010. The motion carried 5-0.
- 11 2. Approve change orders and authorize staff to process change
12 orders submitted at the time of the Board of Directors meeting.
13 The motion carried 5-0

14 **LEGISLATIVE MATTERS**

15 **ITEM NO. 1K. REVIEW AND DISCUSSION OF SOUTH ORANGE COUNTY 16 ISSUES REGARDING THE MUNICIPAL WATER DISTRICT OF 17 ORANGE COUNTY (MWDOC)**

18 Mr. Chadd provided copies of MWDOC's September 15, 2010 Regular Board Meeting
19 agenda, in particular, Closed Session items, to the Board of Directors and staff.

20 Of the two Closed Session items listed, neither seemed to pertain to any issues involving
21 South County Agencies, however; later in the day Mr. Chadd received a call stating action had
22 been taken in closed session, approving the South County Agency Agreement.

23 Copies of the June 28, 2010 Draft Agreement Between MWDOC and its Client Agencies
24 on Budget, Activities, Charges and Other Issues, prepared by MWDOC and not approved by
25 South County Agencies, was distributed along with the June 28, 2010 Draft of Substantive
26 Comments on MWDOC Agreement Draft, a South County Agencies Analysis.

27 Discussion occurred.
28

1 The Board received and filed the information.

2 **ITEM NO. 1L REVIEW OF LOCAL GOVERNMENTAL AND LEGISLATIVE**
3 **INFORMATIONAL ITEMS**

4 Mr. Chadd advised several Bills are moving through the Assembly at this time in
5 response to the recent scandal in the City of Bell, California.

6 Mr. Chadd reminded the Board TCWD was listed in the mass records request from Teri
7 Sforza, an Orange County Register reporter, received on August 18, 2010 under the Public
8 Records Request Act. Mr. Chadd stated this information will be transmitted electronically on
9 September 17, 2010 and has been reviewed by TCWD Legal Counsel.
10

11
12 **ITEM NO. 1M. RATIFICATION OF DIRECTORS' FEES AND EXPENSES AND**
13 **FUTURE DIRECTOR MEETINGS**

14 Ratification of Directors' Fees and Expenses and Future Director Meetings was placed
15 on the consent calendar as item 1D. Director Haselton noticed an error on the September 2010
16 Future Directors' Meetings spreadsheet. Director Haselton stated the Finance and Audit
17 Committee Meeting is listed as occurring on September 8, 2010 and the correct date is
18 September 1, 2010.
19

20
21 **MOTION:** A motion was made by Director Disston and seconded by Director Acosta
22 to approve the Item as corrected. The motion carried 5-0.

23 **END ACTION CALENDAR**

24 **OTHER MATTERS**

25 There were no other matters discussed.

26 **ADDITIONAL DIRECTORS' COMMENTS**

27 There were no additional comments.
28

1 **ADDITIONAL GENERAL MANAGER COMMENTS**

2 There were no additional comments.

3 **CLOSED SESSION**

4 At 8:27 p.m. President Safranski announced that the Board would meet in Closed Session
5 with Legal Counsel and staff, pursuant to Government Code Section 54956.8, to discuss a water
6 theft.
7

8 Following the Closed Session, at 8:38 p.m., the Board announced that it received
9 information from its Legal Counsel. The Board then gave direction to the General Manager. No
10 other matters were discussed.

11 **ADJOURNMENT**

12 At 8:40 p.m. President Safranski adjourned the September 15, 2010 Regular Board
13 Meeting.
14

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16 Respectfully Submitted,

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19 _____
20 Teresa Teichman
21 Secretary to the Board of Directors
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